

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARK BAKER,

Plaintiff,

v.

UNITED STATES FOOD AND DRUG
ADMINISTRATION, et al.,

Defendants.

No. 2:24-cv-00278-DC-SCR (PS)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND GRANTING
PLAINTIFF'S MOTION FOR VOLUNTARY
DISMISSAL

(Doc. Nos. 13, 22, 25)

Plaintiff Mark Baker is proceeding *pro se* with this civil action. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 1, 2024, the assigned magistrate judge issued findings and recommendations recommending that Plaintiff's motion to voluntarily dismiss this action pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure (Doc. No. 22) be granted and that Defendants' motion to dismiss (Doc. No. 13) be denied as moot. (Doc. No. 25.)

The pending findings and recommendations were served on the parties and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 2.) To date, no objections to the findings and recommendations have been filed, and the time in which to do so has now passed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a

1 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
2 findings and recommendations are supported by the record and proper analysis.

3 Accordingly:

4 1. The findings and recommendations issued on November 1, 2024 (Doc. No. 25) are
5 ADOPTED in full;

6 2. Plaintiff's motion to voluntarily dismiss this action (Doc. No. 22) is GRANTED;

7 3. This action is dismissed, without prejudice;

8 4. Defendants' motion to dismiss (Doc. No. 13) is DENIED as having been rendered
9 moot by this order; and

10 5. The Clerk of the Court is directed to close this case.

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13 IT IS SO ORDERED.

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Dated: February 5, 2025



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Dena Coggins
United States District Judge